

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NOELIA BERNARDINA CANDELARIA,

Plaintiff,

-against-

SERVPRO COMMERCIAL LLC, et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/16/25

24-CV-02164 (JHR) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

Plaintiff brings this action against, *inter alia*, defendant Mitnor Corporation d/b/a Servpro of the Seacoast (Mitnor), which is a restoration services contractor that works under the Servpro brand pursuant to a franchise agreement. On June 10, 2025, Mitnor's registered agent was served (Dkt. 93) with the amended summons (Dkt. 75) and Third Amended Complaint (Dkt. 61), making Mitnor's answer due on July 1, 2025.

On July 1, 2025, the Court received a letter from Peter G. Prisco, counsel to defendant Servpro Commercial LLC (a co-franchisee of Mitnor), requesting an extension of time to file an answer on behalf of Mitnor and another co-franchisee, Antim Restoration, Inc. (Antim), until July 14, 2025, so that Mr. Prisco could determine whether his firm would also be handling their defenses. (Dkt. 101.) The Court granted the extension. (Dkt. 103.)

On July 14, 2025, Mr. Prisco filed a motion to dismiss on behalf of only defendant Antim. (Dkt. 105.) To date, Mitnor has not appeared and has not filed an answer or other response to the Third Amended Complaint.

It is hereby ORDERED that, if Mitnor has not answered or otherwise responded to the Third Amended Complaint before **August 1, 2025**, the plaintiff must, on that date, either file a stipulation granting Mitnor additional time or apply for entry of default. Mr. Prisco is encouraged to promptly advise the Court should he have any further information about the status of Mitnor's representation.

Dated: New York, New York
July 16, 2025

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge